

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1995-1117-C - ORDER NO. 2005-93
FEBRUARY 25, 2005

IN RE: Application of Lightyear Telecommunications,) ORDER CANCELLING
 LLC for a Certificate of Public Convenience) CERTIFICATE OF
 and Necessity to Provide Intrastate InterLATA) PUBLIC
 Resold Telecommunications Services within the) CONVENIENCE AND
 State of South Carolina.) NECESSITY

This matter comes before the Public Service Commission of South Carolina (“Commission”) by correspondence dated February 14, 2005, from the Program Manager of Telecommunications for the Office of Regulatory Staff of South Carolina (“ORS”) advising that Lightyear Telecommunications, LLC (“Lightyear” or the “Company”) seeks cancellation of the Company’s Certificate of Public Convenience and Necessity (“Certificate”) to provide resold intrastate interLATA telecommunications services within the State of South Carolina. A review of the docket file reveals that Lightyear’s authority to operate as a reseller of intrastate interexchange telecommunications services in South Carolina was granted by Order No. 96-110, dated February 20, 1996, in the Company’s former name of Metracom Corporation. On December 22, 1998, the Commission issued Order No. 98-1020, which granted a change in the Company’s name from Metracom Corporation to Metracom LLC. By Order No. 2000-633, dated August 7, 2000, the Commission lastly approved a change in the Company’s name from Unidial Telecommunications, LLC to the Company’s present name of Lightyear Telecommunications, Inc. We note that the record of this Commission does not reflect

approval of a change in the Company's name to Unidial Telecommunications, LLC although documentation is contained in the record informing the Commission of the intent of the Company to change its name to Unidial Telecommunications, LLC. However, we find the aforementioned name change inconsequential since the Company presently seeks to cancel its Certificate of authority in South Carolina.

On May 6, 2002, Lightyear Holdings, Inc., parent company of Lightyear, filed a letter with the Commission advising that Lightyear Holdings, Inc. and certain of its subsidiaries in which Lightyear was included, had filed under Chapter 11 of the U.S. Bankruptcy Code in the U.S. Bankruptcy Court for the Western District of Kentucky. As a result of the bankruptcy proceeding, Lightyear Communications, Inc., Lightyear Telecommunications, LLC and Lightyear Network Solutions, LLC filed a Joint Application with the Commission on December 31, 2003, seeking approval of the transfer of assets of Lightyear Communications, Inc. and Lightyear Telecommunications, LLC to Lightyear Network Solutions, LLC. The Commission approved this transaction in Docket No. 2003-369-C, and accordingly issued Order No. 2004-550, dated November 8, 2004.

With its correspondence of February 14, 2005, the ORS filed a copy of a letter received by the ORS on February 14, 2005 from Lightyear's tax manager which stated that Lightyear was no longer in existence and asked that Lightyear be removed from record. The ORS states its belief that Lightyear's letter is sufficient to serve as a request of Lightyear to cancel the Company's Certificate.

Upon consideration of the request, the representations contained therein, and the documentary evidence attached thereto, the Commission is of the opinion that Lightyear's letter to the ORS suffices as a request for cancellation of the Company's Certificate. The Commission further finds and concludes that Lightyear's Certificate of Public Convenience and Necessity should be cancelled.

IT IS THEREFORE ORDERED THAT:

1. The Certificate of Public Convenience and Necessity to provide resold intrastate interLATA telecommunications services within the State of South authorized by Order No. 96-110, dated February 20, 1996, and as amended by Order Nos. 98-1020 and 2000-633, issued in the instant docket to Lightyear Telecommunications, LLC (f/k/a Metracom Corporation, Metracom, LLC and Unidial Telecommunications, LLC) is hereby cancelled.

2. This Order shall remain in full force and effect until further Order of the Commission.

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)